

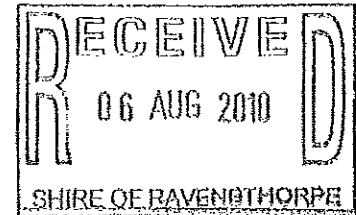
Our Ref: 13522

Your Ref:

3 August 2010

Shire of Ravensthorpe
PO Box 43
RAVENSTHORPE WA 6346

SHIRE OF RAVENSTHORPE RECORDS	DATE	GDA No.	TASK FYL						
	Received	///							
	Disposal Date								
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	OFFICER								
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Attention: Mr Kobus Nieuwoudt, Manager Planning and Development Services

Dear Kobus

RE: REQUEST TO CLOSE AND PURCHASE LANEWAY ABUTTING CALTEX ROADHOUSE SITE, RAVENSTHORPE

As you are aware, our client, Ravensthorpe Fuel Supplies Pty Ltd (RFS) is currently finalising purchase of the former Caltex roadhouse opposite Ravensthorpe District High School.

Our client will be recommencing roadhouse operations from the site as soon as possible.

The total roadhouse site is approximately 5,900m² in area. Currently the roadhouse comprises the following components:

- Lots 646, 647, 648 and 822 by freehold (total of 3,585m²);
- Lots 633 and 634 by lease from State Lands (total 2,024m²); and
- Approximately 60m of public laneway (approximately 300m²).

As part of our client's long-term plans for the site, RFS wishes to rationalise the land tenure of the roadhouse site into a single freehold parcel. This will require the following tasks to be completed:

1. Closure of the laneway and conversion to freehold title.
2. Conversion of the leasehold on Lots 633 and 634 to freehold title.
3. Amalgamation of all titles into a single parcel.

In order to progress rationalisation of the tenure, closure of the laneway is necessary. This requires the Shire to undertake a road closure action under section 58 of the *Land Administration Act 1997* (as amended). The process for the action is outlined in section 5.9 of the *Crown Land Administration & Registration Practice Manual* published by the Department of Regional Development and Lands. We have enclosed the appropriate pages of the Manual for the Shire's records.

Once a current lease over Lots 633 and 634 has been finalised with the Department of Regional Development and Lands, we will make application for these lots to be converted to freehold under section 89 of the *Land Administration Act 1997*. This requires a different and more straightforward process to that for the closure of the laneway. Hence, we are requesting the laneway closure action commence as soon as possible, as it is likely to take longer.

As you will be aware, the laneway reserve links Hosking and Elston Streets. However, it opens out into the roadhouse parking area rather than traverse its entire length. Therefore, vehicles using the laneway further to the west of the roadhouse access it through the roadhouse site. Access

along the laneway within the roadhouse area is hampered by a shed and gardens that have been established over time.

The effect of closure of the laneway on traffic flows will be negligible as public access will remain to the eastern end of the remaining laneway behind properties to the west. To preserve legal access to the remaining laneway, a right of carriageway easement can be included over the roadhouse site as a condition of closure.

The only service currently located within the laneway is the grey water sewer mains operated by the Shire of Ravensthorpe. In order to protect access to the sewer, we propose to include a sewerage easement over the mains using section 167 of the *Planning and Development Act 2005*. This would occur at the time the laneway is closed and amalgamated with the surrounding lots. This is the same mechanism used to protect Water Corporation sewerage mains and allows for the Shire to access the mains for maintenance and replacement purposes. It will also ensure the Shire is protected from inappropriate development over the mains, such as building and infrastructure that would prevent access or efficient operation of the mains.

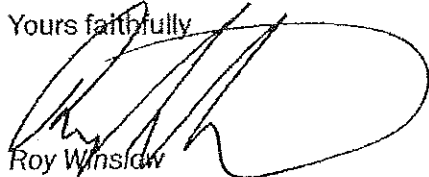
We would appreciate if you could put our request to Council as soon as possible to allow for public and agency advertising to occur.

Should the Council support closure, the Shire will need to place a newspaper notice and advertise for 35 days the proposal to agencies that may have services affected by the closure. This includes the Department of Planning, Horizon Power, Telstra Corporation and Water Corporation. It will also need to write to surrounding landowners and invite comment. Once comments have been received, the Council will need to consider each submission and resolve to either proceed with requesting the closure or to not proceed. Should Council resolve to proceed, it will forward the request to State Lands Services which will finalise the closure and amalgamation.

As a consultancy with experience in road closures and crown land disposal, we can assist the Shire in any way possible to ensure the process is undertaken in accordance with section 58 of the *Land Administration Act 1997*.

We trust that the merits of the closure are sufficient to allow the Shire to commence the process of closure. Please do not hesitate to contact me on 9792 6000 should you have any questions or require additional information.

Yours faithfully

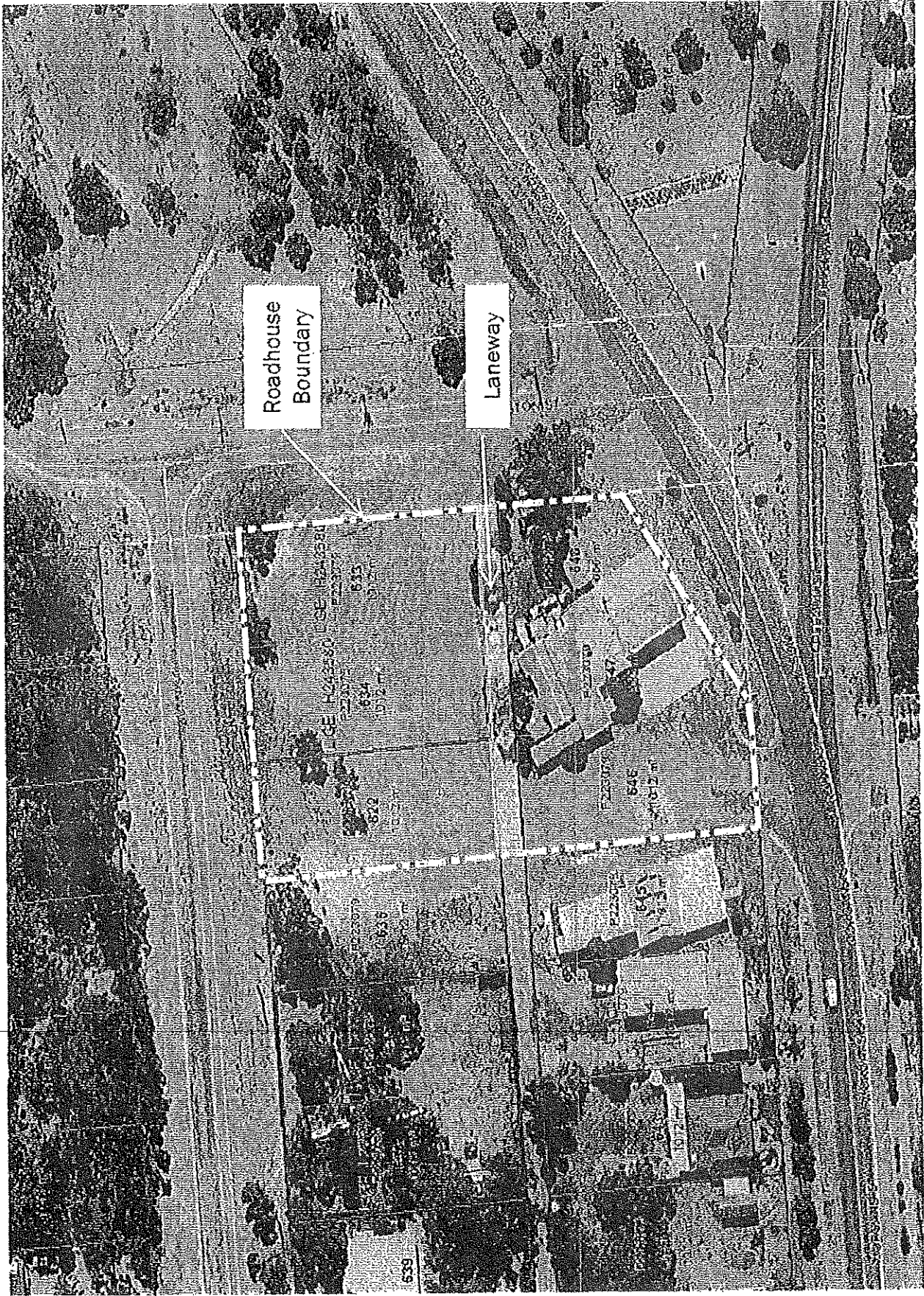


Roy Winslow
Senior Planning Consultant / Planning Team Manager
Harley Global Pty Ltd

E-mail: royw@harleyglobal.com.au

Enc: Plan

CC: Ravensthorpe Fuel Supplies, PO Box 131 RAVENSTHORPE 6346



Roadhouse
Boundary

Laneway

162000 USE 162-55A1

635

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